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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/663,354

09/15/2000

Atsushi Misawa

0879-0273P

1844

2292 7590 05/29/2009  
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EXAMINER

CHEN, CHIA WEI A

ART UNIT

PAPER NUMBER

2622

NOTIFICATION DATE

DELIVERY MODE

05/29/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/663,354	<b>Applicant(s)</b> MISAWA, ATSUSHI	
	<b>Examiner</b> CHIA-WEI A. CHEN	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 6-15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claim 16 is objected to because of the following informalities:  
  
Claim 16 depends on canceled claim 1. Examiner will, instead, examine claim 16 as depending from independent claim 6.  
  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 6, 7, 9 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakui (US #5,648,816) in view of Sasson et al. (US #5,016,107) futher in view of Kikinis (US #5,835,732).

Claim 6, Wakui teaches a digital camera for capturing images (see Fig. 1), comprising:

- a built-in, non-volatile memory (image flash memory 20) for storing a plurality of images in the form of image data (one image is stored in one block, and there are

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a plurality of blocks in the image flash memory 20; Fig. 3, col. 7, lines 7-24), said built-in, non-volatile memory being provided in a camera body (Fig. 1);

- a detachable memory card (31) for storing image data;
- an insertion slot for receiving said detachable memory card (insertion opening, col. 6, lines 21-24);
- detecting means for detecting insertion of said detachable memory card into said insertion slot (connection detecting means 16; col. 5, lines 64-68); and

but does not expressly teach wherein the detachable memory card has a larger storage capacity than said built-in, non-volatile memory and wherein the memory control means, upon said detecting means detecting said insertion of the detachable memory card, directly and automatically transferring the image data from said built-in, non-volatile memory to said detachable memory card.

Sasson teaches wherein the detachable memory card (24) has a large storage capacity than a built-in memory (col. 5, line 32-col. 7, line 16).

It would have been obvious to one of ordinary skill in the art at the time of invention to have used the larger detachable memory card of Sasson with the digital camera system of Wakui in order to store more images than would otherwise be possible with a smaller capacity detachable memory card.

However, Sasson does not teach wherein memory control means, upon said detecting means detecting said insertion of the detachable memory card, directly and automatically transferring the image data from said built-in, non-volatile memory to said detachable memory card.

Kikinis teaches an external memory device (uPDA in a PCMCIA memory card form factor; col. 2, lines 3-11), wherein upon detection of the connection of the external device (connection is detected via a pin dedicated to signal that a module is docked; col. 10, lines 18-32), files are directly and automatically transferred and synchronized between the external device and a host device (updating of files on the uPDA from host device 66; col. 11, lines 14-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to have used the external memory connection, connection detection system, and data transfer of Kikinis in order to automatically backup older files in case of data loss in the host device. (See col. 11, lines 19-22 of Kikinis.)

Claim 7, Wakui teaches wherein said built-in, non-volatile memory is initialized to allow for new image capturing upon said memory control means automatically transferring said image data (after image data is written in the memory card 31, the recorded image data is erased from the image flash memory 20; col. 20, lines 59-61).

Claims 9 and 13, Wakui teaches wherein said detachable memory card (31) is mainly for attachment when the digital camera is not being used to capture images and is normally detached when the digital camera is being used to capture images, and the digital camera is usable to capture images when the detachable memory card is detached from and inserted into the insertion slot (Image capture without memory card 31: col. 8, line 61-col. 42. Image capture with memory card 31: col. 10, lines 27-67).

Claims 14 and 15, the subject matter in claims 14 and 15 can be found in claims 6 and 13. Therefore, claims 14 and 15 are analyzed and rejected as previously discussed with respect to claims 6 and 13. It is noted that Wakui teaches an image processing circuit 8 to process captured images before storage in either the flash memory 20 or in the memory card 31.

Claim 16, Wakui in view of Sasson and Kikinis teaches the subject matter of claim 6, but does not expressly teach wherein upon detection of insertion of the detachable memory card, the data is automatically transferred from the built-in, non-volatile memory to the detachable memory card without any interaction by a user.

However, Kikinis teaches wherein upon detection of insertion of the detachable memory card, the data is automatically transferred from built-in memory of a host device to the detachable memory without any interaction by a user (see flow diagram of Fig. 7 and col. 11, lines 11-14). The host device of Kikinis performs a sequence of routines upon detection of a docking connection. Although Kikinis does not expressly illustrate in Fig. 7 the transfer of files from a memory of the host device to the external memory device (i.e., the flow diagram of Fig. 7 does not expressly illustrate any steps after granting full or limited data access [steps 52 or 58]), Kikinis teaches the automatic updating (i.e., transfer) of files to the external memory device (col. 11, lines 11-14) after granting full/limited access. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have concluded that the automatic

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updating of files on the external memory device (i.e., the transferring of data to the external memory device) could be automatically performed without user intervention as the next step after steps 52 or 58 in the flow diagram of Fig. 7.

5. Claims 8, 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasson, Wakui, and Kikinis, as applied to claim 6 above, and further in view of Watanabe (US 4,887,161).

As to claims 10, 11 and 12, the claims differ from Sasson '107, as modified by Wakui '816 and Kikinis '732, in that they require said detachable memory card is partially exposed so that a user can grasp the memory card by the exposed part to detach said memory card from said camera body, wherein when said detachable memory card is inserted into the insertion slot, more than 1/3 of said detachable memory card is exposed in an insertional direction of said detachable memory card.

In the same field of endeavor, Watanabe '161 teaches a digital camera (10) having a detachable memory card (20) wherein more than 1/3 of the memory card is exposed in an insertional direction of the memory card (Figs. 1-3), and the memory card is partially exposed so that a user can grasp the memory card by the exposed part with fingers to detach said memory card from said camera body (col. 3 lines 42+). In light of the teaching of Watanabe, it would have been obvious to one skilled in the art to have the memory card shown in Sasson ' 107, Wakui '816, and Kikinis '732 be partially exposed allowing the user to detach the memory card from the camera so as to

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eliminate the need to have a rejecting mechanism for the memory card, thus reducing the size and weight of the digital camera.

As to claim 8, the claim differs from Sasson '107, as modified by Wakui '816 and Kikinis '732, in that the claim requires that the camera body in an insertional direction of said memory card is shorter than said memory card in the insertional direction of said memory card. Watanabe shows that the camera body in an insertional direction of said memory card is the same as said memory card in the insertional direction of said memory card. Since it is highly desirable for the memory card to be easily and readily removed from the camera body, it would have been obvious to one skilled in the art to have the memory card shown in Sasson '107, Wakui '816, Kikinis '732 and Watanabe '161 longer than the camera body.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the



shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIA-WEI A. CHEN whose telephone number is (571)270-1707. The examiner can normally be reached on Monday - Friday, 7:30 - 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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